

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FERMIN GONZALEZ,

Defendant.

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8:07CR301

ORDER

This matter is before the court on the defendant's "Unopposed Motion to Continue Trial" [24]. The record shows that the defendant was previously granted a 60-day extension of all deadlines. The court's October 31, 2007 order provided that the defendant was given until January 7, 2008 in which to file substantive pretrial motions, and a trial date would be set after January 7, 2008 or the resolution of any substantive pretrial motions that may be filed.

The defendant now requests an additional 90-day extension of all existing deadlines to consider a plea agreement that has "recently" been offered. He has not filed a waiver of speedy trial as clearly required by the Local Rules of Practice and the case progression order that was entered in this case.

The court finds that the defendant has not shown good cause for the lengthy continuance requested, and the defendant has failed to file an affidavit or declaration regarding speedy trial as required by NECrimR 12.1 and/or 12.3 and the previous order of the court. For these reasons,

IT IS ORDERED that defendant's UNOPPOSED MOTION TO CONTINUE TRIAL [24] is denied. A final trial date will be set in accordance with the Speedy Trial Act after January 7, 2008 or after the resolution of any substantive pretrial motions that the defendant may file before January 7, 2008.

DATED January 3, 2008.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**